

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

\*\*\*\*\*  
UTICA MUTUAL INSURANCE GROUP, \*  
Plaintiff \*  
vs. \* CIVIL ACTION  
\* NO. 04-12198-REK  
JOSEPHINE PREZIOSO, d/b/a JOSIE'S PIZZA, \*  
Defendant \*  
\*\*\*\*\*

ASSENTED TO  
PLAINTIFF'S MOTION TO AMEND ITS COMPLAINT


Plaintiff, Utica Mutual Insurance Company ("Utica"), moves this Court pursuant to Fed. R. Civ. P. 15(a) for leave of court to amend its complaint. Specifically, Utica seeks to add Exxon Mobil Corporation as a Defendant for liability under M.G.L., c. 21E. In support of its motion for leave to amend, Utica submits that Exxon Mobil Corporation f/k/a Exxon Corporation owned and operated a gasoline filling station at the property, which is the subject of this lawsuit, to approximately 1980. In 1974, Exxon Corporation removed two underground storage tanks in the area that is allegedly contaminated. An original of the Amended Complaint is filed herewith, and the Plaintiff requests it be docketed upon allowance of the within motion.


Respectfully submitted,

UTICA NATIONAL INSURANCE GROUP,  
Defendant

THIS MOTION IS HEREBY  
ASSENTED TO BY:

By Its Attorney:

  
Arthur P. Kreiger BBO #279870  
Andersen & Kreiger, LLP  
47 Thorndike Street  
Cambridge, MA 02141  
617-252-6575  
ATTORNEY FOR THE DEFENDANT

  
Richard E. Heifetz BBO #229000  
Danielle M. Maloney BBO #647527  
TUCKER, HEIFETZ & SALTZMAN, LLP  
Three School Street  
Boston, MA 02108  
617-557-9696 FAX 617-227-9191  
Dated: June 1, 2005